



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/060,672	04/15/98	ESTELL	D GC627

HM12/0817
GENENCOR INTERNATIONAL INCORPORATED
925 PAGE MILL ROAD
PALO ALTO CA 94304-1013

EXAMINER	
SAUNDERS, D	
ART UNIT	PAPER NUMBER
1644	28
DATE MAILED:	08/17/01

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

SEE ATTACHED NOTICE OF A NON-RESPONSIVE AMENDMENT

Art Unit: 1644

The reply filed on 5/4/01 is not fully responsive to the prior Office action because of the following omission(s) or matter(s):the amendment filed on /4/01 (paper 25) is non-responsive because it fails to meet the requirements of 37 CFR 1.121. The clean copy and marked up version of the claims do not correspond.

For example in claim 13 part (a) (ii) recites the phrase "whereby said T cell proliferates in response to said peptide". This phrase does not appear in the marked up version.

Also the marked up copy of claim 14 show nothing inserted or deleted. Was the claim reiterated?

Applicant should consider the amendment of 5/4/01 as unentered.

Furthermore applicant's traverse of the prior art rejection of record is non-responsive. The rejection of claims 13-14 was stated over Garman et al (5,820,862) in view of Bhardwaj et al (J. Clin. Invest. 1994) and Mackay et al (5,648,219). Applicant did not address the teaching of Mackay et al with respect to claims 13-14 . See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

The rejection of claim 17 (amendment claim 12 of copending Ser.No. 09/255,505) was stated over Wonthington et al in view of Bhardwaj et al, Schuler et al and Mackay et al.

Art Unit: 1644

Applicant's traverse has not discussed the teachings of Worthington et al, Bhardwaj et al or Schuler et al with respect to this rejection.

Furthermore upon cursory review applicant's discussion of the previously and the newly presented references is confusing and disjointed. For example, applicant argues adherent monocyte derived Dcs are crucial to the instant invention (pages 6-7), however any comments applicant has made in this regard cannot be applied to a new claim 17, which recites nothing about "adherent monocyte-derived" DCs.

D.Saunders/K.B

August 10, 2001

David A Saunders
DAVID SAUNDERS
PRIMARY EXAMINER
~~ART UNIT 162~~ / 1644